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IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

REGINA SMITH,	)	CIVIL NO. 04-00091 HG-KSC
	)	
Petitioner,	)	MOTION FOR EXTENSION OF
	)	TIME TO FILE BRIEF IN RESPONSE
vs.	)	TO PETITIONER'S MEMORANDUM
	)	IN SUPPORT OF PETITION UNDER
JOHN F. PEYTON, JR., Director,	)	28 U.S.C. § 2254 FOR WRIT OF
Department of Public Safety, State of	)	HABEAS CORPUS BY A PERSON IN
Hawai'i, MILLICENT NEWTON-	)	STATE CUSTODY; DECLARATION
EMBRY, Warden, Mabel Bassett	)	OF DANIEL H. SHIMIZU;
Correctional Center, and MARK J.	)	CERTIFICATE OF SERVICE E
BENNETT, Attorney General, State of	)	
Hawai'i,	)	
	)	
Respondents.	)	
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MOTION FOR EXTENSION OF TIME TO FILE BRIEF  
IN RESPONSE TO PETITIONER'S MEMORANDUM IN SUPPORT  
OF PETITION UNDER 28 U.S.C. § 2254  
FOR WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY

Respondents, by and through DANIEL H. SHIMIZU, Deputy Prosecuting Attorney, City and County of Honolulu, State of Hawai'i, move this Honorable Court for an Order extending the time for filing a brief in response to Petitioner's "Memorandum In Support Of Petition Under 28 U.S.C. § 2254 For Writ Of

Habeas Corpus By A Person In State Custody”, from September 8, 2006, up to and including the 9th day of October.

This motion is brought pursuant to **LR6.2** of the **Local Rules of Practice for the United States District Court for the District of Hawai`i** and is supported by the declaration of counsel attached hereto and incorporated by reference herein.

Dated at Honolulu, Hawai`i: August 24, 2006.

Respectfully submitted,

STATE OF HAWAII  
Respondents

By PETER B. CARLISLE  
Prosecuting Attorney

By                     /s/                      
DANIEL H. SHIMIZU  
Deputy Prosecuting Attorney  
City and County of Honolulu